

**MORRISON & FOERSTER LLP**

Attorneys at Law  
755 Page Mill Road  
Palo Alto, California 94304-1018  
Telephone: (650) 813-5600  
Facsimile: (650) 494-0792

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**FROM:** Debra J. Glaister, Patent Agent**DATE:** August 12, 2004

Number of pages with cover page:	<u>10</u>
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**Comments:****OFFICIAL FILING**

Examiner M. Marvich  
Art Unit: 1636  
Re: U.S. Patent Application No. 10/089,394  
Title: PRODUCTION OF RECOMBINANT AAV USING ADENOVIRUS COMPRISING AAV REP/CAP GENES  
Filing Date: March 29, 2002  
Inventors: Haifeng CHEN et al.  
Attorney Docket No. 226272007801

## Papers enclosed herewith:

1. Transmittal - 1 page
2. Supplemental Amendment - 8 pages

**PLEASE ACKNOWLEDGE RECEIPT VIA RETURN FACSIMILE**

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PTO/SB/21 (02-04)

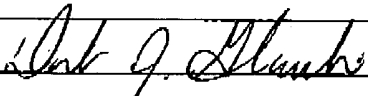
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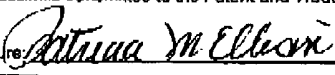
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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/089,394
		Filing Date	March 29, 2002
		First Named Inventor	Haifeng CHEN
		Art Unit	1636
		Examiner Name	M. Marvich
Total Number of Pages in This Submission	9	Attorney Docket Number	226272007801

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply - 8 pages <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax cover sheet
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Debra J. Glaister - 33,888
Signature	
Date	August 12, 2004

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Dated: August 12, 2004	Signature  (Patricia M. Ellison)

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Dated: August 12, 2004

Signature:

*Patricia M. Ellison* (Patricia M. Ellison)

Docket No.: 226272007801  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Haifeng CHEN et al.

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AUG 12 2004

Application No.: 10/089,394

Art Unit: 1636

International Filing Date: September 29, 2000

Examiner: M. Marvich

For: PRODUCTION OF RECOMBINANT AAV  
USING ADENOVIRUS COMPRISING AAV  
REP/CAP GENES

OFFICIAL

**SUPPLEMENTAL AMENDMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This Amendment is supplemental to the Amendment filed on July 15, 2004 in response to the non-final Office Action dated January 15, 2004 (Paper No. 104) in the above-referenced application. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 7 of this paper.

PA-904937